IN THE HIGH COURT OF JUDICATURE AT BOMBAY
IN INSOLVENCY

INSOLVENCY PETITION NO.80 OF 2005

Re : Shantilal B. Kochar. ...Debtor.
Ex-parte:
Kishorekumar Rikhabchandji Jain. ...Petg. Creditor.

....

Mr.Kishore Jain for the Petitioning Creditor.
Debtor absent though served.

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CORAM : DR.D.Y.CHANDRACHUD, J.

August 19, 2006.

P.C.

The Insolvency Petition is based on a decree dated 5th April 2004 passed by the City Civil Court in Summary Suit No.1501 of 2002 in the amount of Rs.46,613.96 with further interest on the principal sum of Rs.30,000/- at the rate of 6% per annum from 14th July 2004. An Insolvency Notice was issued on 21st August 2004 which was duly served on the Debtors on 21st February 2005. The act of insolvency was complete on 21st February 2005. An affidavit of service has been filed. There is no reply to the Petition. In the circumstances, the petition has to be allowed. The Petition is allowed in terms of prayer clauses (a) and (b).